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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GOOGLE LLC,
Plaintiff and Counter-defendant,
v.
SONOS, INC.,
Defendant and Counter-claimant.

Case No. 3:20-cv-06754-WHA
Related to Case No. 3:21-cv-07559-WHA

**DECLARATION OF JOHN DAN SMITH
III IN SUPPORT OF SONOS, INC.'S
MOTION FOR SUMMARY JUDGMENT
OF INFRINGEMENT OF '885 PATENT
CLAIM 1**

Date: June 9, 2022
Time: 8:00 a.m.
Place: Courtroom 12, 19th Floor
Judge: Hon. William Alsup

Complaint Filed: September 28, 2020

1 I, John Dan Smith III, declare as follows and would so testify under oath if called upon to
2 do so:

3 1. I am an attorney with the law firm of Lee Sullivan Shea & Smith LLP, counsel for
4 Sonos, Inc. (“Sonos”) in the above-captioned matter. I am a member in good standing of the Bar
5 of the State of Illinois. I make this declaration based on my personal knowledge, unless otherwise
6 noted. If called, I can and will testify competently to the matters set forth herein.

7 2. I make this declaration in support of Sonos, Inc.’s Motion For Summary Judgment
8 of Infringement of ’885 Patent Claim 1.

9 3. Attached as **Exhibit A** is a true and correct copy of U.S. Patent No. 10,848,885
10 with the certificate of correction.

11 4. Attached as **Exhibit B** is a true and correct copy of excerpts from Google LLC’s
12 Third Supplemental Objections and Responses to Plaintiff Sonos, Inc.’s First Set of Fact
13 Discovery Interrogatories (Nos. 13, 14, 15) dated April 4, 2022.

14 5. Attached as **Exhibit C** is a true and correct copy of excerpts from Google Help
15 Center re “Listen to music on speakers and displays” (GOOG-SONOSWDTX-00005793).

16 6. Attached as **Exhibit D** is a true and correct copy of annotated excerpts from
17 Google’s “GC4A compatibility definition document v1.50” (GOOG-SONOSWDTX-00048731).

18 7. Attached as **Exhibit E** is a true and correct copy of annotated excerpts from
19 Google Help Center re “Create and manage speaker groups” (GOOG-SONOSWDTX-00007068).

20 8. Attached as **Exhibit F** is a true and correct copy of annotated excerpts from
21 Google’s “Multizone Audio Design” (GOOG-SONOSWDTX-00040384).

22 9. Attached as **Exhibit G** is a true and correct copy of excerpts from Google’s
23 “Multizone – cast shell integration” (GOOG-SONOSWDTX-00048962).

24 10. Attached as **Exhibit H** is a true and correct copy of annotated excerpts from
25 Google LLC’s Fourth Supplemental Objections and Responses to Plaintiff Sonos, Inc.’s First Set
26 of Fact Discovery Interrogatories (Nos. 5, 9, 17) dated April 5, 2022.

27 11. Attached as **Exhibit I** is a true and correct copy of excerpts from “Google’s Cast
28 for Audio” (GOOG-SONOSNDCA-000056732).

12. Attached as **Exhibit J** is a true and correct copy of annotated excerpts from Google Nest Community re “Google Speaker Groups not working” (SONOS-SVG2-00067567).

13. Attached as **Exhibit K** is a true and correct copy of excerpts from Google Help Center re “Pick a preferred TV or speaker for video and audio playback” (GOOG-SONOSNDCA-00057440).

14. Attached as **Exhibit L** is a true and correct copy of annotated excerpts from Google LLC’s Objections and Responses to Sonos, Inc’s First Set of Requests for Admission (Nos. 1-12) dated April 8, 2022.

15. Attached as **Exhibit M** is a true and correct copy of excerpts from Google’s “Greater Flexibility in Cast Mixing Pipeline” (GOOG-SONOSWDTX-00051153).

16. Attached as **Exhibit N** is a true and correct copy of annotated excerpts from Deposition transcript of James West taken on September 11, 2020 (ITC Inv. No. 337-TA-1191).

17. Attached as **Exhibit O** is a true and correct copy of excerpts from Deposition transcript Ken Mackay taken on October 1, 2020 (ITC Inv. No. 337-TA-1191).

18. Attached as **Exhibit P** is a true and correct copy of annotated excerpts from Google’s “GC4A Technical Specification” (GOOG-SONOSWDTX-00048792).

19. Attached as **Exhibit Q** is a true and correct copy of excerpts from Google’s financials produced in Excel format and printed to PDF here (GOOG-SONOSNDCA-00055305).

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 14th day of April, 2022 in Chicago, Illinois.



John Dan Smith III